



RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2623
Docket No.: 1046.1192

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jun ASADA

Serial No. 09/158,076

Group Art Unit: 2623

Confirmation No. 3503

Filed: September 22, 1998

Examiner: Lonsberry, Hunter B.

For: LOCAL AREA INFORMATION TERMINAL DEVICE

REQUEST FOR WITHDRAWAL OF FINAL STATUS AS PREMATURE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: **BOX AF**

Sir:

Applicant respectfully submits that the current Office Action mailed May 18, 2007 is incomplete since the Examiner has not responded to all of Applicant's arguments traversing the rejections from the previous Office Action mailed September 11, 2006 ("previous Office Action").

As set forth in MPEP §707.07(f) entitled Answer All Material Traversed:

an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.

In support of the rejection of claim 1, for example, the Examiner asserted it would have been obvious to modify the combination of Ghori (U.S.P. 6,282,714) and Matsuda (U.S.P. 5,794,116) with the teachings of Maillet (U.S.P. 3,649,764). (Previous Office Action at page 5).

In the previous Amendment filed on February 9, 2007, Applicant traversed the rejection, in part, by arguing there is no motivation to modify the art in a manner as suggested by the Examiner. Applicant submitted that as understood by one of ordinary skill in the art a TDMA system is defined as:

A method of digital wireless communications transmission allowing a large number of users to access a single radio-frequency channel without interference.

(Emphasis added, See, for example Glossary at <<[http://www.cnet.com /Resources/Info/Glossary/Terms/tdma.html](http://www.cnet.com/Resources/Info/Glossary/Terms/tdma.html)>>). Accordingly, Applicant argued, in part, one of ordinary skill in the art would not look to modify Matsuda's system of video distribution with a TDMA based method of Maillet used on a radio frequency.

In the current Office Action, the Examiner does not address this argument. Rather, the Examiner merely repeats his assertion that such a combination would have been obvious without providing further support. (Current Office Action at page 5, lines 10-13).

As set forth in MPEP § 706.07(d):

(I)f, on request by applicant for reconsideration, the primary examiner finds the final rejection to have been premature, he or she should withdraw the finality of the rejection.

Accordingly, Applicant respectfully requests that the finality of the current Office Action be withdrawn and another action issued including a complete response and with the due date accordingly reset.

If there are any additional fees associated with filing of this Letter, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: September 7, 2007

By: Paul W. Bobowiec
Paul W. Bobowiec
Registration No. 47,431

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501